

**FILED**  
DISTRICT COURT OF GUAM

FEB - 8 2005

MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

In re:

GENERAL ORDER NO. 05-0001

LOCAL RULES OF  
PRACTICE, AMENDMENT  
OF GENERAL RULE GR 5.2.

IT IS HEREBY ORDERED that General Rule GR 5.2 of the Local Rules of Practice for the District Court of Guam is amended to read as follows:

**GR 5.2      Privacy and Public Access to Case Files.**

(a) In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or by paper, unless otherwise ordered by the Court, or required by statute, a federal rule of procedure, or the Official Bankruptcy Forms:

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1                   **(1) Social Security numbers.** If an individual's social security number must be  
2 included in a pleading, only the last four digits of that number should be used (*i.e.*,  
3 XXX-XX-6789). However, in bankruptcy cases, the debtor(s) shall submit a Statement  
4 of Social Security Number(s) (Form B21) at the time the petition is filed. The debtor(s)  
5 must report the full nine-digit Social Security number(s) of the debtor(s) in this  
6 document to be submitted – not filed – with the Clerk's Office. This document will be  
7 used for internal purposes only and will not be part of the public record. Failure to  
8 timely submit Form B21 may result in the dismissal of the case.

9                   **(2) Names of minor children.** If the involvement of a minor child must be  
10 mentioned, only the initials of that child should be used. In bankruptcy cases, on  
11 Schedule I of Official Bankruptcy Form 6, list the relationship and the age of the  
12 debtor's dependent(s) (*i.e.*, son, age 6).

13                   **(3) Dates of birth.** If an individual's date of birth must be included in a  
14 pleading, only the year should be used. In bankruptcy cases, on Schedule I of Official  
15 Bankruptcy Form 6, list the age of each of the debtor's dependents.

16                   **(4) Financial account numbers.** If financial account numbers are relevant, only  
17 the last four digits of these numbers should be used. In bankruptcy cases, on Schedules  
18 D, E, and F of official Bankruptcy Form 6, debtors, if they choose, may include their full  
19 account numbers to assist the trustee and creditors.

20                   **(5) Home addresses for criminal cases.** If a home address must be included in  
21 a pleading filed in a criminal case, only the city and state should be listed.

22                   **(b)** In compliance with the E-Government Act of 2002, a party wishing to file a  
23 document containing the personal data identifiers listed above may:

24                   **(1)** file an unredacted version of the document in paper form under seal with the  
25 Clerk's Office; or

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(2) file a reference list in paper form under seal with the Clerk's Office. The reference list shall contain the complete personal data identifiers and the redacted identifiers used in their place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifiers. The reference list may be amended as of right.

The document or reference list must contain the following heading: "SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002." The unredacted version of the document or reference list shall be retained by the Court as part of the record until further order of the Court. The party must also file a redacted copy of the document for the public file.

(c) Because of remote electronic availability, caution should be exercised and the necessity to seal considered when filing documents that contain any of the following information:

- (1) any personal identifying number, such as driver's license number;
- (2) medical records, treatment and diagnosis;
- (3) employment history;
- (4) individual financial information;
- (5) proprietary or trade secret information;
- (6) information regarding an individual's cooperation with the government;
- (7) information regarding the victim of any criminal activity;
- (8) national security information; and
- (9) sensitive security information as described in 49 U.S.C. § 114(s).

(d) Without a Court order, the following documents shall not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access:

- (1) unexecuted summonses or warrants of any kind (e.g., search warrants, arrest warrants);
- (2) pretrial bail or presentence investigation reports;

- (3) statements of reasons in the judgment of conviction;
- (4) juvenile records;
- (5) documents containing identifying information about jurors or potential jurors;
- (6) financial affidavits filed in seeking representation pursuant to the Criminal Justice Act;
- (7) ex parte requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act; and
- (8) sealed documents.

If the Court seals a document after it has already been included in the public file, the Clerk shall restrict viewing of the document from both the electronic and paper files as soon as the order sealing the document is entered.

(e) The responsibility for redacting personal data identifiers and properly filing documents to be sealed rests solely with counsel and the parties. The Clerk's Office will not review each pleading for compliance with this rule.

IT IS FURTHER ORDERED that said amendment shall take effect immediately. This General Order supersedes General Order No. 03-0023.

**IT IS SO ORDERED.**

Dated: February 2, 2005.

  
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DAVID W. HAGEN\*  
UNITED STATES DISTRICT JUDGE

\*The Honorable David W. Hagen, United States Senior District Judge for Nevada, by designation.